GOVERNMENT OF INDIA
EXTERNAL AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:6215
ANSWERED ON:12.04.2017
NRI Origin Children
Adhikari Shri Sisir Kumar

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether NRI origin children abroad are facing legal problems due to separation of their parents;

(b) if so, the details of cases received by the Government; and

(c) the action taken or proposed to be taken by the Government in this regard?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS
[GEN. (DR) V. K. SINGH (RETD)]

(a) Yes.

(b) Separation or divorce of overseas Indian parents sometimes results in following issues pertaining to their child or children:

i. Parents are involved in legal battles seeking custody of the child or children

ii. One parent taking the child or children and leaving the country without permission of the other parent. In such cases the parent files a court case accusing the other parent of child abduction

iii. Following separation or divorce, child support or maintenance not being provided by the parent

iv. One parent denying to the other parent any contact with the child or children or visitation rights.

Details of such cases received by our Missions as of today are given below:

Country	No. of cases received
Denmark	1
Malaysia	2
Mexico	1
Russia	2
Sweden	1
United Kingdom	3
United States	10

In addition, Ministry also receives petitions from parents who are facing the above issues.

(c) To address the above issues which are primarily of a legal nature, the respective parents are filing cases in courts in India and/or in the foreign country.

All requests for seeking assistance from a foreign country in service of judicial processes or other documents are directly submitted to the Ministry of Home Affairs in criminal law matters and to the Ministry of Law & Justice in civil matters.

Bilateral Consular Dialogues between India and foreign countries are also utilised to sensitise foreign governments on these issues.
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